

REMARKS

Upon entry of the present amendment, Claims 1-12 are pending in the application, and of these, claims 1, 7, 11 and 12 are independent. Claims 1, 2, 7 and 8 are amended herein and new independent claims 11 and 12 are added to the application.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Telephone Interview

A telephone interview was held on January 27, 2005 between Examiner Ngo and the applicant's representative, William D. Blackman, who wishes to thank the Examiner for her informative remarks. During the interview, proposed amendments to claims 1 and 7, and proposed new claims 11 and 12 were discussed. No agreement was reached regarding amendments to claims 1 and 7. However, the Examiner indicated that new claim 12 would probably receive favorable consideration. Proposed new claim 12 corresponds to original claim 2 rewritten in Jepson format such that a personal watercraft is claimed which includes an improved fuel inlet apparatus.

Claim Rejections – 35 USC 112

At item 2 of the Office Action, the Examiner has rejected claims 1-10 under 35 USC 112, second paragraph, as being indefinite. The Examiner cites the phrase "the type" in claims 1 and 7 as being indefinite. Further, in claims 9 and 10, the Examiner notes that "said tube stopper" lacks antecedent basis.

Claims 1 and 7, line 1, have been amended herein to replace "of the type having a craft body" with --, the watercraft comprising a craft body, the craft body --. The replacement phrase recites a watercraft of definite scope, thereby obviating the rejection.

As regards claims 9 and 10, the applicant respectfully disagrees with this rejection since claims 9 and 10 depend from claim 2, and "a tube stopper" is recited in line 2 of claim 2. Thus, the phrase "said tube stopper" has antecedent basis in claim 2.

Claim Rejections – 35 USC 103

At item 4 of the Office Action, the Examiner has rejected claims 1, 5, and 7 under 35 USC 103 (a) as being unpatentable over Jensen (US 3,420,585) in view of Wehle et al. (US 5,320,240). The Examiner states that Jensen discloses a fuel inlet apparatus including a fuel fill member 15 having a tubular routing structure 16; a fill cap 17; a chain 22 having one end fastened to the routing structure and the other end fastened to the cap; and a stopper member as represented by the inward extension in the routing structure 16 adjacent to the seal 28. The Examiner concedes that Jensen does not disclose a protective tube surrounding a portion of the chain, but states that Wehle teach a fuel cap having a protective tube 27 surrounding a portion of the chain 28. It would have been obvious to provide a protective tube around the chain in Jensen as taught by Wehle in order to protect the chain from damage.

Upon review of the references, the applicant notes that Jensen discloses a cover 15 for an oil tank fill hole which provides access to an oil tank housing 12. The cover 15 includes an oil fill body 16 closed by a cap 17. A chain 22 connects the cap 17 to an interior surface of the oil fill body 16 near its bottom edge 16d. Oil fill body 16 is a short hollow cylinder

having a lower end secured in cover 15 using external threads, and an upper end which receives cap 17.

Wehle teaches using a braided cord to secure a cap to a fuel or lubricant tank opening because the minimal material thickness of the cord does not hinder tanking of the fuel. Wehle teaches using injection molded, shaped plastic coverings 27, 29 for the ends of the braided cord 28 to facilitate holding the flexible cord ends to the respective cap 18 or tank opening structures (filling stub 22). The applicant notes the discontinuity in the illustration of the plastic covering 27 shown in Fig. 4, whereby the length of the plastic covering 27 is unknown.

The applicant has amended claims 1 and 7 herein to recite the structure of the fuel fill member in more detail. Claim 1 has been amended to include the language "said tubular routing structure comprises a fuel filling portion formed at said outer end, and comprises plural hose connecting portions at an end opposed to said outer end". Claim 7 has been similarly amended, but does not recite the fuel filling portion formed at said outer end. These structures are not disclosed by Jensen, who provides an oil tank fill hole with a cap which does not require a hose connecting portion. Further, these structures are not disclosed by Jensen as modified by Wehle, who shows a single tubular structure 25 at a lower end thereof which is used to mount the cord to the housing, and does not disclose or suggest any hose connecting portions. Thus, claims 1 and 7 are now in condition for allowance.

Allowable Subject Matter

At item 5 of the Office Action, the Examiner has indicated that claims 2-4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening

claims. By the above amendment to claim 2, claim 2 is now in independent form and includes all the limitations of the base claim, claim 1. Claims 3, 4, 6, 9 and 10 depend from claim 2. Thus, claims 2-4, 6, and 9-10 are now in condition for allowance.

Other Matters

The applicant notes that claims 8 - 10, are rejected under 35 USC 112, second paragraph, but are not rejected under the prior art. Thus, because the rejections under 35 USC 112, second paragraph are cured herein, claims 8-10 are considered to include allowable subject matter.

In addition, claim 8 is amended herein to depend from independent claim 7. Since the subject matter of claim 8 and claim 2 are substantially similar, this amendment to change the dependency of claim 8 avoids multiple claims directed to the same subject matter.

New independent claims 11 and 12 are added to the application herein. These claims correspond substantially to claims 1 and 2 re-worded in Jepson format to claim a personal watercraft having an improved fuel inlet structure. Because the cited prior art references disclose application to portable hand-held work apparatus, and to an oil reservoir for train wheels, these new claims avoid rejection under the cited prior art.

Conclusion

Applicant respectfully suggests that as presently amended, all of the pending claims are believed to be allowable.

It is applicant's contention that no possible reading of the references, either singly or in any reasonable combination, can be viewed as teaching applicant's claimed invention.

For all of the above mentioned reasons, applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application.

The Commissioner is hereby authorized to charge \$200.00 for one additional independent claim in excess of three (@\$200.00), as well as to charge any deficiency or credit any overpayment, to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Favorable consideration is respectfully requested.

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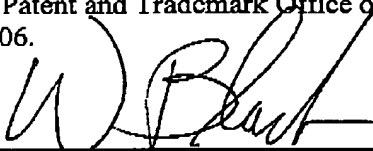
Respectfully submitted,



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Respectfully submitted,

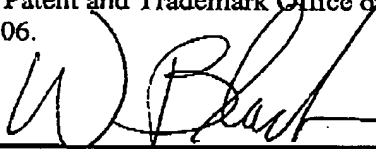


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